
**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
JUNE 8, 2009**

CALL TO ORDER

The Regular Meeting of the City Council of the City of Dana Point, California, was called to order by Mayor Bartlett at 5:00 p.m. in the Dana Point City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point.

ROLL CALL OF CITY COUNCIL MEMBERS:

Present: Mayor Lisa A. Bartlett
Mayor Pro Tem Steven Weinberg
Council Member Joel Bishop
Council Member Scott Schoeffel

Absent: Council Member Lara Anderson

STAFF PRESENT: Douglas C. Chotkevys, City Manager; Patrick Munoz, City Attorney; Kathy M. Ward, City Clerk; Michael Killebrew, Director of Administrative Services; Lt. Mark Levy, Chief of Police Services; Kyle Butterwick, Director of Community Development; Brad Fowler, Director of Public Works and Engineering; Sea Shelton, Senior Management Analyst; John Tilton, City Architect; Christy Teague, Economic Development Manager; Kevin Evans, Director of Community Services and Parks; Jackie Littler, Executive Secretary; DyAnne Weamire, Administrative Secretary; and Bobbi Ogan, Deputy City Clerk.

CLOSED SESSION

City Attorney Munoz indicated that there was a need for a Closed Session as follows:

- A. CONFERENCE WITH REAL LABOR NEGOTIATOR, Government Code § 54957.6 Agency Designated Representatives: City Manager Unrepresented and Represented Employees: All positions in City

Mayor Bartlett recessed the meeting into a Closed Session at 5:01 p.m. pursuant to Government code Section 54956 et. seq.

RECONVENE CITY COUNCIL MEETING - CALL TO ORDER

Mayor Bartlett reconvened the meeting at 6:04 p.m. All Council Members were present with the exception of Council Member Anderson.

Mayor Bartlett reported that Council Member Anderson was absent from the meeting due to the birth of her new baby girl, Shay.

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Judy Brandmeier.

INVOCATION

The Invocation was provided by Father Steve Sallot of St. Edwards Catholic Church.

PRESENTATIONS AND PROCLAMATIONS

June Business of the Month - Le Visage

Senior Management Analyst Shelton provided a PowerPoint presentation detailing the many spa services being offered by Le Visage. Mayor Bartlett presented a Certificate of Recognition to Krystyna Mozingo, owner of Le Visage for being named the Business of the Month for June, 2009.

Certificate of Recognition to Outgoing Youth Board Members

Mayor Bartlett recognized the following Youth Board Members: Katie Chironis, Corey Clippinger, Kaylie Fernald, and Jonathan Gossett and presented Certificates of Recognition to each for their service to the City.

Certificate of Recognition to Boys & Girls Club of Capistrano Valley Youth of the Year

Mayor Bartlett invited Team Leader, Lori Rodriguez to join her in recognizing Stephen Menosky for being named the Youth of the Year by the Boys & Girls Clubs of Capistrano Valley. Mayor Bartlett presented a Certificate of Recognition to Stephen for his accomplishment.

Proclamation for Be The Match - National Bone Marrow Donor Program

Mayor Bartlett invited Shelley Baker, Account Executive, Recruitment for the Southwest District of the Be The Match Registry and Brad and Judy Brandmeier to join her. Ms. Baker spoke about the Be The Match Registry. She announced that on Thursday the registry would be honoring the Brandmeier family and holding a marrow registration drive for their son Craig. Mayor Bartlett presented a Proclamation to Ms. Baker recognizing the National Bone Marrow Donor Program.

Certificate of Recognition to Medal of Valor Award Winners

Mayor Bartlett invited Lt. Levy in helping her recognize the Medal of Valor Award Winners. Lt. Levy provided the details of the event that happened on October 8, 2008. Mayor Bartlett presented Certificates of Recognition to the following deputies who were Medal of Valor recipients for their participation in the event: Deputy John Good, Deputy Richard Hassett, Deputy Steven Hoffman, Deputy Lawrence Packard, and Deputy Patrick Kinney.

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CONSENT CALENDAR

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER JOEL BISHOP, THAT THE RECOMMENDATIONS BE ACCEPTED FOR ALL ITEMS LISTED ON THE CONSENT CALENDAR.

The motion carried by the following vote:

AYES: Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: None

ABSENT: Council Member Lara Anderson

1. WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY

APPROVED THE READING BY TITLE ONLY OF ALL ORDINANCES ON THE CONSENT CALENDAR AND THAT FURTHER READING OF SUCH ORDINANCES BE WAIVED.

2. REGULAR MEETING MINUTES, MAY 11, 2009

APPROVED THE MINUTES.

3. PLANNING COMMISSION MEETING MINUTES, MAY 18, 2009

RECEIVED AND FILED.

4. PLANNING COMMISSION ACTIONS, MEETING OF JUNE 1, 2009

RECEIVED AND FILED.

5. YOUTH BOARD MEETING MINUTES, MAY 21, 2009

RECEIVED AND FILED.

6. OCEAN WATER QUALITY SUBCOMMITTEE MINUTES, APRIL 28, 2009

RECEIVED AND FILED.

7. MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR

RECEIVED AND FILED.

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8. CITY TREASURER'S REPORT, APRIL 2009

RECEIVED AND FILED THE TREASURER'S REPORT FOR APRIL 2009.

9. CLAIMS AND DEMANDS

RECEIVED AND FILED THE CLAIMS AND DEMANDS.

10. ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE SEA TERRACE PARK PROJECT

ADOPTED RESOLUTION 09-06-08-01 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL FO THE CITY OF DANA POINT, CALIFORNIA APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE PROJECT ENTITLED "SEA TERRACE PARK PROJECT" AS PART OF THE GENERAL PARK REHABILITATION PROGRAM.

11. APPROVE AMENDMENT NO. 13 TO CONTRACT AGREEMENT NO. C-8-0370 WITH ORANGE COUNTY TRANSIT AUTHORITY TO PROVIDE SENIOR TRANSPORTATION SERVICES TO THE DEL OBISPO COMMUNITY/SENIOR CENTER THROUGH JUNE 30, 2010

APPROVED AMENDMENT NO. 13 TO CONTRACT AGREEMENT NO. C-8-0370 WITH ORANGE COUNTY TRANSIT AUTHORITY TO PROVIDE SENIOR TRANSPORTATION SERVICES TO THE DEL OBISPO COMMUNITY/SENIOR CENTER THROUGH JUNE 30, 2010.

12. FLEET VEHICLE ACQUISITION

AUTHORIZED THE CITY MANAGER TO PURCHASE FIVE CITY-OWNED VEHICLES, FOUR OF WHICH HAD PREVIOUSLY BEEN PROVIDED UNDER THE ORANGE COUNTRY SHERIFF'S DEPARTMENT (OCSD).

13. TRANSIENT OCCUPANCY TAX INSURANCE RENEWAL FOR FY 2009-2010

RATIFIED THE RENEWAL OF BUSINESS INTERRUPTION INSURANCE COVERAGE OBTAINED FROM LANDMARK AMERICAN INSURANCE COMPANY ("LANDMARK") FOR PROTECTION OF TRANSIENT OCCUPANCY TAX ("TOT") REVENUES FOR THE POLICY PERIOD OF JUNE 17, 2009 TO JUNE 17, 2010.

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14. APPROVAL OF AMENDMENT TO TELECOMMUNICATIONS SYSTEM ENCROACHMENT AGREEMENT WITH GREENFIELD COMMUNICATIONS

APPROVED SUBJECT AGREEMENT AMENDMENT AND AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO AMEND SUBJECT AGREEMENT.

15. FY 2009-10 AND FY 2010-11 BUDGET ADOPTION FOLLOW UP ITEMS

ADOPTED **RESOLUTION 09-06-08-02** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009-10; and

ADOPTED **RESOLUTION 09-06-08-03** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE SEVEN YEAR CAPITAL IMPROVEMENT PROGRAM FOR FY 2009-10 THROUGH FY 2015-16 AS REQUIRED BY THE OCTA MEASURE M GROWTH MANAGEMENT PROGRAM; and

AUTHORIZED THE DIRECTOR OF PUBLIC WORKS AND ENGINEERING SERVICES TO FORWARD THE NECESSARY MEASURE M ELIGIBILITY DOCUMENTATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY; and

ADOPTED **RESOLUTION 09-06-08-04** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE POSITION TITLES, SALARY RANGES, AND CLASS SPECIFICATIONS FOR DIRECTOR OF DISASTER PREPAREDNESS & FACILITIES AND DIRECTOR OF ADMINISTRATIVE SERVICES/ASSISTANT CITY MANAGER.

16. RESOLUTION AUTHORIZING THE CITY ENGINEER TO ACCEPT ALL INTERESTS IN REAL PROPERTY

ADOPTED **RESOLUTION 09-06-08-05** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE CITY ENGINEER TO ACCEPT ON THE CITY'S BEHALF ALL INTERESTS IN REAL PROPERTY.

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17. NINTH AMENDMENT TO EMPLOYMENT CONTRACT FOR CITY MANAGER DOUG CHOTKEVYS

APPROVED THE NINTH AMENDMENT TO THE EMPLOYMENT CONTRACT FOR THE CITY MANAGER AND AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

18. ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT APPLICATION FOR THE AMERICAN REINVESTMENT AND RECOVERY ACT

ADOPTED **RESOLUTION 09-06-08-06** ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE CITY TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT; and

AUTHORIZED THE CITY MANAGER OR HIS DESIGNEE TO APPLY FOR SUBJECT GRANT.

19. 2009-2010 LAW ENFORCEMENT SERVICES AGREEMENT

APPROVED THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE COUNTY OF ORANGE FOR LAW ENFORCEMENT SERVICES FOR THE 2009-2010 FISCAL YEAR AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT.

PUBLIC COMMENTS

John Chaffetz, Dana Point, thanked everyone responsible for the Memorial Day ceremony at Pines Park on Memorial Day. He stated that Memorial Day has special meaning to him as he had served in the military and that he wished more people knew the significance of Memorial Day.

Linda Brame, Dana Point, felt that there was inadequate parking for the City's major events. She spoke of the parking availability for the Memorial Day service at Pines Park and the lack of parking for the handicapped.

Mayor Bartlett responded that every year the City events become more popular and that Staff would take into consideration the comments made regarding parking when planning future events.

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PUBLIC HEARINGS

20. GENERAL PLAN AMENDMENT (GPA09-01) TO UPDATE THE HOUSING ELEMENT

City Manager Chotkevys provided an introduction of the item and Economic Development Manager Teague provided a staff report.

There being no requests to speak, Mayor Bartlett opened and closed the Public Hearing.

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER SCOTT SCHOEFFEL, CONDUCT A PUBLIC HEARING AND ADOPT **RESOLUTION 09-06-08-07** APPROVING THE NEGATIVE DECLARATION FOR THE UPDATED HOUSING ELEMENT ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, TO ADOPT A NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT (GPA 09-01) TO UPDATE THE HOUSING ELEMENT; and

ADOPT **RESOLUTION 09-06-08-08** APPROVING THE HOUSING ELEMENT (GPA09-01) ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (GPA09-01), WHICH AMENDS THE GENERAL PLAN HOUSING ELEMENT, AND SUBMISSION OF THE HOUSING ELEMENT FOR CERTIFICATION BY THE CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (HCD).

The motion carried by the following vote:

AYES: Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: None

ABSENT: Council Member Lara Anderson

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21. GENERAL PLAN CONSISTENCY ANALYSIS GPC09-0002 AND COASTAL DEVELOPMENT PERMIT CDP07-20 PERTAINING TO CONDITIONAL VACATION OF SCENIC DRIVE AND ALTERNATE CAPITAL IMPROVEMENT PROJECT

City Manager Chotkevys provided comments on the item.

Mayor Bartlett opened the Public Hearing.

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER SCOTT SCHOEFFEL, THAT THE CITY COUNCIL CONTINUE THE ITEM UNTIL THE CITY COUNCIL MEETING OF JULY 27, 2009.

The motion carried by the following vote:

AYES: Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: None

ABSENT: Council Member Lara Anderson

22. GENERAL PLAN AMENDMENT (GPA07-01), ZONE CHANGE (ZC07-01), ZONE TEXT AMENDMENT (ZTA07-02) AND LOCAL COASTAL PROGRAM AMENDMENT (LCPA07-01) FOR PROPERTY LOCATED AT 34202 DEL OBISPO STREET (Makar Properties, LLC)

Director of Community Development Butterwick provided a staff report.

Mayor Bartlett opened the Public Hearing.

Howard Zelefsky, Makar Properties, stated that they concur with the Planning Commission's recommendation and also with the mitigation measures that were imposed on the project. He added that they did not provide a site plan because until the rules are in place, they do not know what to design to. He spoke of SOCWA's request that Makar pay for new tanks at their facility.

Scott Howell, Dana Point, spoke regarding the City's need for more parkland and felt that open space should have been a consideration for this property.

Mary Jeffries, Dana Point, spoke regarding the additional letters that she would be submitting from individuals that were against the zone change. She stated that this property was an important gateway to the City and that she did not agree with the proposed zoning as it would be the second highest allowed in the Zoning Code.

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Tom Rosales, General Manager of South Orange County Wastewater Authority (SOCWA), asked for the project to be conditioned to address their concerns. He stated that they would request that an odor easement be placed on the property, and for Makar or the successor developer be responsible for paying the fair share for the 4.5 M capital investment that would be needed to cover the costs of the tanks at the SOCWA facility.

Jeff Hoskinson, legal counsel for SOCWA, stated that SOCWA was not opposed to development but is opposed to the current mitigations set forth in the Mitigated Negative Declaration for this project. He felt that the mitigations do not sufficiently address the potential odor impacts of placing residential homes immediately adjacent to an existing operational sewage treatment plant. He stated that based on SOCWA's analysis of the project that there would be the need for an odor easement providing a recorded notice of the potential for odors and covering of the aeration tanks.

Bob Theel, Dana Point, spoke regarding the Dana Villa site and the existing zoning. He stated that the traffic impact report does not propose to share vehicle capacity at the intersection fairly among development interests and that approval would inhibit their development.

Linda Brame, Dana Point, stated that she did not agree with approving the zone change without a plan for development.

Michael Gagnet, Makar, spoke of other projects that have been approved without a plan for development. He stated that they are attempting to lay the basic framework for development. He disagrees with the views of SOCWA and did not believe that the new development should have to cover the cost of new tanks.

Mayor Bartlett closed the public hearing.

Council Member Schoeffel asked how often a City must update its General Plan.
City Attorney Munoz replied that only the Housing Element was required to be updated by law.

Council Member Schoeffel asked if a traffic study and Mitigated Negative Declaration analysis allocate traffic capacity to a vacant parcel.

Director of Community Development Butterwick replied that this analysis did use an ambient growth factor as part of the cumulative analysis. He stated that CEQA only includes known projects or projects that have been filed with the City and that it would be too speculative to include future development of a vacant parcel. He added that there is a mitigation measure that does require additional traffic analysis at the time that a specific project is filed with the City.

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Richard Barretto, Linscott, Law & Greenspan, clarified that one of the cumulative projects that was considered was the PCH expansion project. He stated that there is excess capacity but to what impact a future hotel would have is unknown at this time.

City Attorney Munoz asked if the site across Pacific Coast Highway as well as all of the existing zoning in the area was taken into account when the calculations and projections were determined.

Richard Barretto replied that in this particular instance, per CEQA and traffic study guidelines, you go through the process of identifying all known projects that have been approved or projects with applications on file. He stated that including any vacant land or potential development in the traffic study becomes speculative.

Council Member Schoeffel asked if this re-zone were to be approved but the project not built and the owner of the vacant property submitted an application, would the traffic capacity be allocated back to that site.

Richard Barretto replied yes.

Mayor Bartlett asked if the traffic study took into account ingress and egress off of Pacific Coast Highway, Del Obispo, or both.

Richard Barretto replied that it was the assumption that access to the property would come from Del Obispo only.

Mayor Pro Tem Weinberg asked if all four corners of Pacific Coast Highway were developed, would it be the last development that would be left with a reduced traffic capacity.

Richard Barretto replied that the last project approved could have to mitigate the traffic but that he did not believe that this situation would happen. He stated that there were a sufficient number of turn lanes to handle the capacity and how the intersection operated would become a timing situation.

Mayor Pro Tem Weinberg stated that if ingress and egress were taken off of Del Obispo, a traffic light would have to be installed for the exit or the residents would have to go up and make a u-turn which doubles the traffic on Del Obispo; he asked which scenario was considered in your analysis.

Richard Barretto replied that the traffic analysis considered both un-signalized and signalized operation for the site driveway on Del Obispo. He added that the projected traffic volumes by the Makar project were sufficient enough that the installation of a traffic signal would be justified.

Director of Community Development Butterwick clarified that the Planning Commission had continued this hearing because the peak analysis use

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did not factor in the summer months. He stated that there was now a mitigation measure for a traffic signal on Del Obispo included.

Mayor Pro Tem Weinberg asked about installing traffic signals so close together. City Engineer Sinacori replied that if the project comes forward, Staff will have to evaluate whether the signal is warranted.

Council Member Bishop asked if there was enough data for the analysis since Pacific Coast Highway was just recently expanded.

Richard Barretto replied that the data that they had collected was prior to the widening. He stated that there was better traffic flow because of the additional lanes.

Director of Community Development clarified that the evaluation of the future traffic capacity did consider the improvements to Pacific Coast Highway.

Council Member Bishop asked if there was a requirement for open space.

Director of Community Development Butterwick replied that there was a requirement for open space.

City Architect Tilton clarified that there was 200 square feet of open space was required per unit; 100 of which is private and the other 100 would be for the common area. He stated that another important factor in developing the site is how much land area can be covered, and in this case it is limited to 40 percent.

Council Member Bishop stated that he has heard some concerns about the heights of the proposed buildings and their restricting air flows.

Director Butterwick replied that absent the site plan that shows a location of the building footprints, roof heights, and configuration it would only conjuncture on Staff's part but that it would be part of the future environmental evaluation for a specific project. He stated that the Mitigated Negative Declaration did not provide an evaluation of the air flow across the property.

Council Member Bishop stated that he and the Mayor had toured the sewer plant on Friday. He added that from the tour he learned that the homes should only be affected by the prevailing wind during a Santa Ana condition and that 80-90 percent of the sewage that the plant collects comes from outside the City.

Council Member Schoeffel stated that the Planning Commission raised the density of the residential and lowered the density of the commercial; he asked Director Butterwick if he could recall the rationale.

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Director Butterwick replied that the change was associated with trip generation for commercial development and that the reduction of the commercial square footage had a beneficial affect on the circulation.

Council Member Bishop stated that he was concerned with the traffic flow in the area and does not know how to mitigate it if all of the vacant properties were to be developed. He added that he was also concerned about the odor and how the kids at the baseball fields have to smell the odor.

Council Member Schoeffel stated that the zone change was an effort to keep pace with what the City is becoming. He added that for this first step, he would support the recommendation.

Mayor Pro Tem Weinberg felt that a park at the site could generate more traffic than the residential uses. He felt comfortable that there were enough safeguards in place that the project would not be a detriment to the City or traffic flow and that he would support the proposal.

Mayor Bartlett stated that she was concerned with the traffic and odor situation but felt that was something that could be dealt with when a project was brought forward. She added that she would be in favor of moving forward with the proposed zone change.

Mayor Pro Tem Weinberg stated that since the majority of the materials collected at SOCWA come from outside of the City that maybe the City should look into making SOCWA mitigate the odors.

IT WAS MOVED BY MAYOR PRO TEM STEVEN WEINBERG, SECONDED BY COUNCIL MEMBER SCOTT SCHOEFFEL THAT THE CITY COUNCIL INTRODUCE FOR FIRST READING AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA07-02 AND ZONE CHANGE ZC07-01 TO ESTABLISH A NEW ZONING CATEGORY OF "RESIDENTIAL/COMMERCIAL-18" (R/C-18) IN CHAPTER 9.13 OF THE ZONING ORDINANCE AND TO CHANGE THE DESIGNATION OF THE SUBJECT SITE, 34202 DEL OBISPO STREET FROM "DANA POINT SPECIFIC PLAN - COASTAL RECREATION SPACE" TO "R/C-18", AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA07-01 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION, and

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ADOPT RESOLUTION 09-06-08-09 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE GENERAL PLAN AMENDMENT (GPA07-01), ZONE TEXT AMENDMENT (ZTA07-02), ZONE CHANGE (ZC07-01, AND LOCAL COASTAL PROGRAM AMENDMENT (LCPA07-01); and

ADOPT RESOLUTION 09-06-08-10 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA07-01, WHICH AMENDS THE LAND USE ELEMENT OF THE GENERAL PLAN BY CREATING A NEW LAND USE CATEGORY OF "RESIDENTIAL/COMMERCIAL", AND CHANGES THE GENERAL PLAN DESIGNATION OF THE SUBJECT SITE, 34202 DEL OBISPO STREET FROM "DANA POINT SPECIFIC PLAN - COASTAL RECREATION SPACE" TO "RESIDENTIAL/COMMERCIAL", AND SUBMISSION OF GPA07-01 AS LOCAL COASTAL PROGRAM AMENDMENT LCPA07-01 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; and

ADOPT RESOLUTION 09-06-08-11 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REGARDING LOCAL COASTAL PROGRAM AMENDMENT LCPA07-01 REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION.

The motion carried by the following vote:

AYES: Council Member Joel Bishop, Council Member Scott Schoeffel, Mayor Pro Tem Steven Weinberg, and Mayor Lisa A. Bartlett

NOES: None

ABSENT: Council Member Lara Anderson

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

There was no New Business.

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PUBLIC COMMENTS

There were no additional Public Comments.

STAFF REPORTS

City Manager Chotkevys congratulated Kevin Evans and his staff for the success of the drive-in theater. He stated that last Friday night families were able to re-live a part of the past that you just can't find any longer in Southern California. He added that it was his hope because of the success that the City could look at possibly adding a couple of more shows later in the summer.

City Manager Chotkevys provided an introduction of the improvements made at Lantern Bay Park and Director of Public Works and Engineering Fowler provided a PowerPoint presentation which detailed the before and after pictures of the improvements.

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

Council Member Schoeffel reported that he had attended the following since the last meeting: Doheny Blues Festival, events with the contingency of representatives visiting from Viterbo, Italy at the St. Regis and the Laguna Cliffs Marriott, and a working lunch at the Ritz Carlton. He stated that he had also attended the boat show in the Harbor.

Council Member Bishop reported that he had turned in his meetings attended to the City Clerk. He stated that the Memorial Day service was done very well and that staff had done a great job. He added that he had attended the 5th Marine Regiment dinner, the boat show, and the Blues Festival.

Mayor Pro Tem Weinberg reported that he had turned in his meetings attended to City Clerk. He encouraged everyone to enjoy the fireworks and to have a safe summer.

Mayor Bartlett stated that she will turn in her meetings attended to the City Clerk. She highlighted the following:

May 22 - Attended the dedication ceremony and gave a speech for the City's new pedestrian bridge which is a wonderful gateway into our City.

June 5 - Attended and provided remarks to celebrate the dedication of the City's newest park, Calle Paloma Park in Capistrano Beach.

She announced the following upcoming events:

June 13 - Build-A-Boat at the Ocean Institute in Dana Point Harbor. She stated that it will be a fun filled day of boat building team activities, events, and awards.

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June 12, 19, and 26 - Every Friday night in June the City is offering free movies in Lantern Bay Park at 8:00 p.m. Bring your own lawn chairs or blankets and be sure to bring the whole family for an evening of fun under the stars.

June 21 - August 30 - Free Summer Concerts in the Park. Check the City website for exact dates, performers and park locations in Dana Point.

July 4 - The spectacular Dana Point fireworks display in the Harbor at 9:00 p.m.

ADJOURNMENT

There being no further business before the City Council at this session, Mayor Bartlett declared the meeting adjourned at 8:39 p.m. and announced that the next Regular Meeting of the City Council will be held on July 27, 2009 at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

KATHY M. WARD
CITY CLERK

APPROVED AT THE MEETING OF JULY 27, 2009

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Meetings Attended Since the Last City Council Meeting:

Mayor Lisa Bartlett

Attended numerous TCA meetings and held regular office hours.

05/16 and 05/17/09 Doheny Blues Festival
05/20/09 OC Peace Officers Memorial at the Santa Ana Civic Center
05/21/09 South Orange County Association of Mayors meeting in Irvine
05/22/09 Dedication ceremony and gave a speech for our new Pedestrian Bridge which is a wonderful gateway into our City
05/25/09 Memorial Day Service in Pines Park and gave the welcome remarks for the City
05/26/09 Mission Hospital breakfast meeting to discuss regional issues and the South Coast Medical Center acquisition
05/27/09 NAIF event in San Francisco and a breakfast meeting the following morning to discuss the Italian American Opera Foundation and opera festival in Dana Point
05/29/09 OC Government Leaders breakfast in Irvine
05/30 and 05/31/09 Events at the St. Regis and Marriott which addressed the Italian American Opera Festival
06/01/09 Harbor cruise hosted by Dana Wharf Sportfishing and a luncheon at the Ritz Carlton which included our visitors from Italy
06/02/09 National Italian Day event at Royce Hall at UCLA and spoke about our Sister City agreement Viterbo, Italy
06/05/09 Provided remarks to celebrate the dedication of our newest park, Calle Paloma Park in Capistrano Beach

Upcoming Events:

06/13/09 Build-A-Boat event at the Ocean Institute in Dana Point Harbor. A fun filled day of boat building team activities, events and awards
06/17/09 South County Senior Services is hosting an event to recognize OC Supervisor Pat Bates for her work in the 5th District. Event is at the Jolly Roger Restaurant at 4:30 p.m.
06/12, 06/19, and 06/26/09 Every Friday night in June we are offering free movies in Lantern Bay Park at 8:00 p.m. Bring your own lawn chairs or blankets and be sure to bring the whole family for an evening of fun under the stars
06/21 – 08/30/09 Free Summer Concerts in the Park. Check the City's website for exact dates, performers and park locations in Dana Point.
06/22/09 Dana Point Historical Society BBQ and Picnic fundraiser event
07/04/09 The spectacular Dana Point fireworks display in the Harbor, 9:00 p.m.

**CITY OF DANA POINT, CALIFORNIA
CITY COUNCIL REGULAR MEETING MINUTES
JUNE 8, 2009**

Mayor Pro Tem Steven Weinberg

05/13/09	OCFA Budget & Finance Library Subcommittee
05/14/09	TCA/SJ Toll Road Board
05/20/09	OCFA Fire Chief Interview
05/21/09	Vector Control Board Meeting Ocean Institute Reception
05/22/09	DP Pedestrian Bridge Dedication
05/25/09	Memorial Day Services at Pines Park
05/27/09	Dana Point Historical Society Founders Day Celebration
05/28/09	Chamber of Commerce Luncheon "Educator of the Year" OCFA Board Meeting
05/30/09	Maestro Stefano Vignati-Opera Dream night
05/31/09	Mayor of Viterbo Italy and the Italian Opera delegation
06/01/09	boat tour and lunch at Ritz Carlton with Viterbo Mayor Marini and Italian guests
06/02/09	SJHTCA Special Board Meeting
06/04/09	OCFA BOD Meeting---Interview for Fire Chief
06/05/09	Calle Paloma Dedication

Council Member Joel Bishop

05/22/09	Pedestrian Bridge Dedication
05/25/09	Memorial Day Ceremony
05/26/09	Ocean Water Quality Subcommittee
05/27-05/29/09	League of Cities Executive Forum, San Diego
05/30/09	Opera Cocktail Party St. Regis
05/31/09	Mayor Reception Marriott Resort
06/04/09	SCAG Lake Arrowhead
06/05/09	Calle Paloma Park Dedication
06/05/09	SOCWA Tour